
SFC LEGISLATIVE AND REGULATORY SCHEDULE

PURPOSE

1. To provide the Committee with an update of the Scottish Funding Council (SFC) Legislative and Regulatory Schedule. The Schedule sets out our main legal compliance requirements for **noting**.

BACKGROUND

2. The Legislative & Regulatory Schedule aims to ensure that the SFC can demonstrate it has identified, understood and taken steps to implement the main changes in legislation and regulation, and that responsibilities are clearly defined. The Schedule is attached in the Annex to this paper.
3. The Schedule is structured in the following way:
 - **Founding legislation:** legislation concerned with the powers and duties of the SFC in relation to further and higher education, and the powers and duties of Scottish Ministers in relation to SFC.
 - **Legislation where SFC is named in the enactment schedule:** legislation which gives the SFC other powers or duties by virtue of the fact that SFC is named specifically in the legislation (in an 'enactment schedule').
 - Corporate governance legislation.
 - Employment and equalities legislation.
 - Budgeting, finance and accountability legislation.
 - Other key legislation of relevance to SFC.
4. The Schedule is focused on the primary legislation that impacts on the core functions of SFC. It does not include every piece of legislation that might potentially have some relevance to the SFC. We continue to monitor and share the following updates and advice with all relevant staff:
 - Monthly information bulletins provided by our solicitors, which highlight any new legislation – or changes to existing legislation – relating to the business of the SFC or the sector.
 - Monthly information bulletins relating to the decisions of tribunals that are relevant to the business of the SFC.

- Regular letters, briefings or directives from our sponsor team in the Scottish Government about new compliance requirements, including changes in legislation or regulation.

KEY POINTS

5. No significant new pieces of legislation were passed by the Scottish Parliament or UK Parliament in the last 12 months that affected SFC or colleges and universities, except for the legislation dealing with the expiration of prior provisions under relevant Coronavirus Acts and the royal assent of the Advanced Research and Invention Agency Bill 2022.
6. As well as the legislation listed in the Annex, we are monitoring the progress of other legislation that is of interest to SFC:
 - Coronavirus Act 2020 - The Government is committed to removing unnecessary provisions from the statute book as soon as possible and will look for opportunities to do so as the Government's legislative programme proceeds. Once the Government has received the conclusions of the COVID-19 public inquiry, it will consider whether further changes to public health legislation are needed.
 - Coronavirus (Recovery and Reform) (Scotland) Bill - creates new powers to respond to public health emergencies, including educational establishments such as schools, colleges, and universities.
 - The Budget (Scotland) Act. (Including budgets for further and higher education.)
7. Overall, we are satisfied that the organisation is aware of all the main legislative and regulatory requirements relevant to SFC and is taking the necessary steps to ensure full compliance.

PROPOSED CHANGES TO LEGISLATION OR REGULATIONS

8. We continue to monitor any new or proposed changes to existing legislation in the Scottish Parliament, the UK Parliament at Westminster, and at the EU level, where relevant to SFC.

RECOMMENDATIONS

9. The Committee is invited to **note** the SFC Legislative and Regulatory Schedule.

FINANCIAL IMPLICATIONS

10. There are no specific financial implications arising from this paper.

PUBLICATION

11. This paper and annex will be published on the SFC website.

FURTHER INFORMATION

12. Contact: Emma Pantel (Information Management & Governance Officer), email: epantel@sfc.ac.uk, supported by Lesley Aitkenhead (Assistant Director, Risk Governance and Compliance), email: laitkenhead@sfc.ac.uk